

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE

CYNTHIA MERCADO SANTIAGO

Debtor(s)

CASE NUMBER: 08-06323-ESL

CHAPTER 13

TRUSTEE'S OBJECTION TO CLAIM NUMBER 01
FILED BY SANTANDER FINANCIAL DBA ISLAND FINANCE
NOTICE AND CERTIFICATE OF SERVICE

TO THE HONORABLE COURT:

COMES NOW, Alejandro Oliveras-Rivera, Standing Chapter 13 Trustee, and very respectfully ALLEGES, STATES and PRAYS:

1. On November 06, 2008, claim number 01, was filed by SANTANDER FINANCIAL DBA ISLAND FINANCE in the amount of \$5,240.30. The Trustee objects to this claim under the following grounds.

Claimant has failed to provide adequate evidence to prove that the debt subject of the Proof of Claim has co-debtors.

2. Debtor is not a member of the U.S. Armed Forces, the Coast Guard, the Public Health Service or the National Oceanic and Atmospheric Administration, as evidenced by the Certificate issued by the U.S. Department of Defense, copy of which is attached only to the original of this motion and movant's copy.

WHEREFORE, it is respectfully requested from this Honorable Court to:

ALLOW THE CLAIM AS GENERAL UNSECURED.

30 DAY NOTICE TO ALL CREDITORS AND PARTIES IN INTEREST : YOU ARE HEREBY NOTIFIED THAT YOU HAVE THIRTY (30) DAYS FROM THE DATE OF THIS NOTICE TO FILE AN OPPOSITION TO THE FOREGOING MOTION AND TO REQUEST A HEARING. IF NO OPPOSITION IS FILED WITHIN THE PRESCRIBED PERIOD OF TIME, THE TRUSTEE'S MOTION WILL BE DEEMED UNOPPOSED AND MAY BE GRANTED WITHOUT FURTHER HEARING UNLESS(1) THE REQUESTED RELIEF IS FORBIDDEN BY LAW; (2) THE REQUESTED RELIEF IS AGAINST PUBLIC POLICY; OR (3) IN THE OPINION OF THE COURT, THE INTEREST OF JUSTICE REQUIRES OTHERWISE. IF A TIMELY OPPOSITION IS FILED, THE COURT WILL SCHEDULE A HEARING AS A CONTESTED MATTER.

CERTIFICATE OF SERVICE: I hereby certify that on this date I electronically filed the above document with the Clerk of the Court using the CM/ECF System which sends notification of such filing to all those who in this case have registered for receipt of notice by electronic mail. I further certify that the foregoing has been served to U.S. Trustee at ustpreion21.hr.ecf@usdoj.gov and by depositing true and correct copies thereof in the United States Mail, postage prepaid, to the non ECF/CM participants: debtor(s), SANTANDER FINANCIAL DBA ISLAND FINANCE, creditors and parties in interest that have filed notices of appearance, included in the service list attached to the original hereof.

RESPECTFULLY SUBMITTED at San Juan, Puerto Rico, this June 18, 2009.

S/ALEJANDRO OLIVERAS RIVERA
ALEJANDRO OLIVERAS RIVERA
Chapter 13 Trustee
PO Box 9024062
San Juan, PR 00902-4062
Phone 787-977-3500 Fax 787-977-3521

The undersigned hereby certifies that a true copy of the foregoing document was mailed by first class mail or electronically sent to the parties listed below:

R FIGUEROA CARRASQUILLO LAW OFFICE PSC*

PO BOX 193677
SAN JUAN, PR 00919 -3677

CYNTHIA MERCADO SANTIAGO
PARQUE CENTRAL
F 15 65 STREET
CAGUAS, PR 00727

DATED: June 18, 2009

Page 1 of 1 - CASE 08-06323-ESL

S/DIANA ARROYO
OFFICE OF THE CHAPTER 13 TRUSTEE

Department of Defense Manpower Data Center

JUN-18-2009 07:14:44



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

| ◀ Last Name | First/Middle | Begin Date | Active Duty Status | Service/Agency |
|-------------|--------------|--|--------------------|----------------|
| MERCADO | CYNTHIA | Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty. | | |

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

Report ID: PUEKH CZAYJ